

**City of Somerville, Massachusetts  
Matters of Business of the Board of Aldermen**

**MINUTES OF THE REGULAR MEETING**

March 22, 2007, 7:00 PM  
Aldermanic Chambers  
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***NOTICE: This is NOT the official version of the Board of Aldermen's minutes. While reasonable efforts have been made to assure the accuracy of the data provided, do not rely on this information without first checking with the City Clerk.***

**PRESENT for all or part of the meeting:** President Robert C. Trane, Vice President Dennis M. Sullivan, Aldermen William A. White Jr., William M. Roche, Maryann M. Heuston, Thomas F. Taylor, Walter F. Pero, Sean T. O'Donovan, Rebekah L. Gewirtz.

**OPENING OF THE MEETING**

- |    |                     |   |                          |
|----|---------------------|---|--------------------------|
| 1. | Roll Call           | Call of the Roll.   | 182849<br>Placed on File |
| 2. | Minutes<br>Approval | Approval of the minutes of the Regular Meeting of<br>February 22, 2007. | 182850<br>Approved       |

**CITATIONS**

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| 3. | Citation | By Ald. Pero, O'Donovan and the Entire Board,<br>Commending Richard Johnson, a lifelong Somervillian,<br>former Alderman and current State Trooper, who has served<br>our nation with valor in Kuwait, Iraq and Afghanistan. | 182851<br>Approved |
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**PUBLIC HEARINGS**

None

**ORDERS, ORDINANCES, RESOLUTIONS  
AND MOTIONS OF MEMBERS**

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| 4. | Order | By Ald. Roche, That the Clerk of Committees request that a<br>representative of the Hess Corp. on McGrath Hwy. appear<br>before the Licenses and Permits Committee for a show<br>cause hearing for violations of the ordinance prohibiting<br>trash pick up between 7 PM and 7 AM. | 182852<br>Approved as Amended:<br>That the Clerk also<br>invite a rep. of CVS on<br>Medford St. to appear<br>before the Committee |
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| 5.  | Order | By Ald. Roche, That the Director of Traffic and Parking replace the STOP sign at Sunnyside Ave. and Walnut St.   | 182853<br>Approved   |
| 6.  | Order | By Ald. Roche, That the Commissioner of Public Works and the City Arborist plant a tree at 25 Illinois Ave.  | 182854<br>Approved   |
| 7.  | Order | By Ald. Roche and Heuston, That the Director of Traffic and Parking hold a public hearing on revising the restriction on street parking for 48 hours without moving the vehicle.   | 182855<br>Approved as Amended:<br>That the Director also include revising the visitor pass program |
| 8.  | Order | By Ald. Roche, That the City Solicitor advise this Board why the city cannot ticket DCR for not clearing the sidewalks on McGrath Hwy. approaching Highland Ave.   | 182856<br>Approved   |
| 9.  |       | Withdrawn  |  |
| 10. | Order | By Ald. Sullivan and Roche, That the Clerk of Committees request that a representative of the Car Wash on Washington St. appear before the Licenses and Permits Committee for a show cause hearing for violations of the ordinance to keep sidewalks clear of snow and ice.                                | 182857<br>Approved   |
| 11. | Order | By Ald. Sullivan and the Entire Board, That the Commissioner of Public Works repair the leaking roof at the Central Library and the carpet on the 2nd floor of the West Branch Library.  | 182858<br>Approved<br>Copy To Finance  |
| 12. | Order | By Ald. Pero, That the Chief of Police, the Sergeant in charge of community policing and the Ward 4 community police officer convene a neighborhood meeting in each of the Ward 4 precincts to discuss current issues, concerns and preparations for summer activities with neighbors.                     | 182859<br>Approved   |
| 13. | Order | By Ald. Pero, That the Chief of Police order directed patrols at Shore Dr., and Puritan, Putnam, and Ten Hills Rds., after a 2 <sup>nd</sup> finding of needles and syringes there, and that the patrols include the Mystic Boat House, with concurrent jurisdiction of the State Police where applicable. | 182860<br>Approved   |
| 14. | Order | By Ald. Pero, That the Chief of Police order directed patrols in the vicinity of the Winter Hill School yard.  | 182861<br>Approved   |
| 15. | Order | By Ald. Pero, That the Director of Traffic and Parking report on tickets issued and vehicles towed on Sargent Ave. in the recent snow emergency, and recommend ways for residents to report parking violations in snow emergencies.  | 182862<br>Approved   |

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| 16. | Order      | By Ald. Pero, That the Director of Traffic and Parking report to this Board on establishing Community Parking Control Officers, to familiarize PCO's with the neighborhoods and facilitate contact with elected officials.                                 | 182863<br>Approved |
| 17. | Order      | By Ald. Pero, That the Chief of Police cite Modern Floors, 22 Marshall St., for violations of the avoidable alarm ordinance on March 18, 2007.   | 182864<br>Approved |
| 18. | Resolution | By Ald. Pero, That the Commission on Monuments, Memorials and Dedications dedicate the corner of Fremont and Main Sts. to World War II veteran, former Alderman and School Committee member, and current member of the Licensing Commission, Vito Vacarro. | 182865<br>Approved |
| 19. | Order      | By Ald. O'Donovan, That the Commissioner of Public Works ascertain if the contractor responsible for the installation of sidewalks on Alpine St. is required to repair any that are cracked or in disrepair.   | 182866<br>Approved |
| 20. | Order      | By Ald. O'Donovan, That the Commissioner of Public Works replace the sidewalk at 108 Pearson Ave.  | 182867<br>Approved |
| 21. | Order      | By Ald. O'Donovan, That the Chief of Police order selective traffic enforcement at various times on Cedar St. between Broadway and Summer St. and between Broadway and Morrison Ave.   | 182868<br>Approved |
| 22. | Order      | By Ald. O'Donovan, That the Commissioner of Public Works re-evaluate all sidewalks on Alpine St. for workmanship and make repairs as necessary.  | 182869<br>Approved |
| 23. | Order      | By Ald. Heuston, That the Director of SPCD request of the MBTA that the bus stop at 185 Beacon St. be returned to its original location at 165 Beacon St.  | 182870<br>Approved |
| 24. | Order      | By Ald. Heuston, That the Director of Traffic and Parking install a STOP sign at the intersection of Dimick St. and Concord Ave.   | 182871<br>Approved |
| 25. | Order      | By Ald. Heuston, That the Director of Traffic and Parking examine the intersection of Washington and Calvin Sts. to determine the need for a fire lane.  | 182872<br>Approved |
| 26. | Order      | By Ald. Heuston, That the Commissioner of Public Works inspect and trim the tree at 12 Dickinson St.   | 182873<br>Approved |
| 27. | Order      | By Ald. Heuston, That the Director of Traffic and Parking replace the PRIVATE WAY sign at the intersection of Park Place and Laurel St.  | 182874<br>Approved |

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| 28. | Order | By Ald. White, That the Commissioner of Public Works or Director of Finance provide this Board with the total amounts budgeted and expended this fiscal year for natural gas, gasoline, heating oil and electricity.  | 182875<br>Approved, Copy to<br>Energy & Environment                               |
| 29. | Order | By Ald. White, That the Commissioner of Public Works provide this Board with a breakdown of expenditures for snow plowing, sanding and salting this fiscal year, and a breakdown of payments to outside contractors.  | 182876<br>Approved<br>Copy to Finance   |
| 30. | Order | By Ald. White, That a representative of SPCD appear before the Committee on Housing and Community Development to discuss Somerville property in the North Point Area, whether any development is proposed, and whether any rezoning will be required.   | 182877<br>Approved, Copy to<br>Housing & Community<br>Development and Land<br>Use |
| 31. | Order | By Ald. Trane, That the Chief of Police institute a comprehensive enforcement initiative for pedestrian safety to include all officers on all shifts with strict enforcement of crosswalk violations by motorists, and that this initiative become part of the daily charge to officers at roll call. | 182878<br>Approved  |
| 32. | Order | By Ald. Trane, That the Director of Traffic and Parking enforce the 48 hour rule on Endicott Ave. to ensure that vehicles are properly registered, not abandoned, and not parking long term.  | 182879<br>Approved  |
| 33. | Order | By Ald. Trane, That the Chief of Police continue to monitor Teele Sq. for numerous motor vehicle violations to ensure the safety of residents and pedestrians.  | 182880<br>Approved  |
| 34. | Order | By Ald. Trane and Desmond, That the Commissioner of Public Works check all school zone warning lights to ensure they are working when school begins and ends.   | 182881<br>Approved  |

### **UNFINISHED BUSINESS**

None

### **REPORTS OF COMMITTEES**

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| 35.  | Committee Report | Report of the Committee on Land Use, March 13.  | 182882<br>Approved       |
| 35A. | Ordinance        | By Ald. Heuston and Taylor, Proposing an amendment to the Zoning Ordinances by establishing a PUD-C Zoning Overlay District and Union Square Arts Overlay District with Facilitation by city-wide amendments. | 182003<br>Placed on File |

35B.	Officer Comm.	Planning Board re: proposed amendments establishing a PUD-C Zoning Overlay District and a Union Sq. Arts Overlay District.	182622 Placed on File
36.	Committee Report	Report of the Committee on Legislative Matters, March 13.	182883 Approved as Amended: #182401 returned to Legislative Matters
36A.	Mayor's Request	Requesting approval of an amendment to Ordinance 2006-12 re: Household trash and rubbish collection.	182401 Returned to Legislative Matters
37.	Committee Report	Report of the Committee on Legislative Matters, March 20.	182884 Approved
37A.	Mayor's Request	Requesting approval of an Ordinance to require "guerilla marketing" firms to register with the Chief of Police before conducting activities in the City.	182707 Approved, Enrolled and Ordained
38.	Committee Report	Report of the Committee on Youth Services, March 15.	182885 Approved
38A.	Order	By Ald. Desmond, That any public hearing on issues that impact youth be posted in the high school and on the city's cable channel, and include an agenda forwarded to the Somerville Youth Council.	182886 Approved
38B.	Resolution	By Ald. Desmond, That this Board requests that a member of the Somerville Youth Council be present at all Youth Services Committee meetings.	182887 Approved
38C.	Resolution	By Ald. Desmond, That this Board requests that the Mayor provide information to the Youth Services Committee on summer employment.	182888 Approved
39.	Committee Report	Report of the Committee on Public Utilities and Public Works, March 20. No papers.	182889 Approved
40.	Committee Report	Report of the Committee on Public Health and Public Safety, March 21.	182890 Approved
40A.	Order	By Ald. Sullivan, That the City Solicitor appear at the Committee on Public Health and Public Safety's next meeting to discuss ways to force CVS to maintain a safe parking lot in Magoun Sq.	182891 Approved
41.	Committee Report	Report of the Committees on Public Health and Public Safety and Traffic and Parking meeting in joint session, March 14.	182892 Approved

41A.	Order	By Ald. Heuston, Taylor and Trane, That the Traffic and Parking Director, the Police Chief, the City Solicitor, the Chief Financial Officer, the Traffic Engineer and other relevant Police and Inspectional Services personnel attend the next meeting of the Public Safety & Public Health and Traffic & Parking Committees to address parking on sidewalks and traffic calming.	182893 Approved
41B.	Order	By Ald. Taylor, That the Pedestrian Safety Committee Chairman attend the next joint meeting of the Public Safety & Public Health and Traffic & Parking Committees to present the senior survey.	182894 Approved
41C.	Order	By Ald. Sullivan, That the Brickbottom area be added to the list of priority locations noted in the Pedestrian/Bicycle Safety Report.	182895 Approved
41D.	Order	By Ald. Taylor, That a follow-up joint meeting of the Public Safety & Public Health and Traffic & Parking Committees, relative to Pedestrian/Bicycle Safety, be held with the appropriate city officials present.	182896 Approved
41E.	Order	By Ald. Heuston, That the City Solicitor determine what can be done to strengthen the Code of Ordinances to deal with traffic offenders.	182897 Approved
41F.	Resolution	By Ald. Heuston, That the Traffic Commission consider means to address traffic speeding and the failure of vehicles to observe the STOP sign on Adrian Street.	182898 Approved
41G.	Resolution	By Ald. Heuston, That the Traffic Commission consider means to address the parking on sidewalks on Merriam, Linden and Allen Sts.	182899 Approved
42.	Committee Report	Report of the Committee on Licenses and Permits, March 21.	182900 Approved as Amended: #182703 returned to Licenses & Permits
42A.	Extended Hrs	New Extended Retail Hours License, Dalel Corp. dba Dunkin Donuts, 282 Somerville Ave., 24 hours, 7 days/wk.	182703 Returned to Licenses & Permits
42B.	Used Car	Renewal of Used Car Dealer License Class II, Pearl St. Auto, 180 Pearl St., 2 Autos.	182704 Approved
42C.	Public Occ	Public Property Occupancy Permit, Dahn Holistic Fitness Martial Arts Demonstration, Davis Sq. Statue Park, March 31, 12-2PM (Raindate April 7).	182825 Approved

42D.	Public Occ	Public Property Occupancy Permit, Step It Up Somerville Rally, Davis Sq. Statue Park, April 14, 10AM-2PM.	182826 Approved
42E.	Used Car	Renewal of Used Car Dealer License Class II, Foreign Body Works Inc., 593 Somerville Ave., No Autos.	182830 Approved
42F.	Junk	Renewal of Junk Dealer License, Atlas Junk Co., 475 Columbia St.	182831 Approved
42G.	Junk	Renewal of Junk Dealer License, Nissenbaum's Auto Parts Inc., 480 Columbia St.	182832 Approved
42H.	Outdoor Parking	Renewal of Outdoor Parking License, Nissenbaum's Auto Parts Inc., 498 Columbia St., 61 Autos.	182833 Approved
42I.	Outdoor Parking	Renewal of Outdoor Parking License, Nissenbaum's Auto Parts Inc., 490 Columbia St., 15 Autos.	182834 Approved
42J.	Order	By Ald. Desmond, Heuston and Trane, That the City Solicitor and City Clerk define to the Committee on Licenses & Permits their authority in issuing extended retail hours licenses to common victuallers.	182901 Approved
43.	Committee Report	Report of the Committee on Finance, March 21.	182902 Approved
43A.	Mayor's Request	Requesting approval for the City to abandon a small triangle of land in Assembly Sq.	182810 Approved w/condition: The Mayor should try to sell to the abutter
43B.	Mayor's Request	Requesting approval of a \$5,000 transfer from the Condominium Review Board Salaries Acct. to the SPCD Parks Reconstruction Acct.	182812 Approved
43C.	Mayor's Request	Requesting approval to expend a \$5,700 grant from Federal Realty Investment Trust to fund the City's participation in the 2007 BIO International Convention.	182814 Approved
43D.	Mayor's Request	Requesting approval to pay a prior year invoice of \$325 from Ronco Communications for work completed at Fire Prevention and at East Somerville Community School.	182815 Approved
43E.	Mayor's Request	Requesting approval of a one-year extension of the recycling contract with Casella Waste (FCR Recycling).	182816 Approved

#### **COMMUNICATIONS OF THE MAYOR**

44.	Mayor's Request	Requesting approval to transfer \$22,000 from the Police PS Salaries Acct. to the Police OM Training Acct.	182903 Finance
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45.	Mayor's Request	Requesting approval to use \$361.68 in FY07 available funds to adjust the annual salary of the Administrative Aide in the Mayor's Office from \$45,290.44 to \$47,000.	182904 Finance
46.	Mayor's Request	Requesting approval to pay a prior-year invoice of \$125 for employee-training expenses in SPCD.	182905 Approved
47.	Mayor's Request	Requesting approval to expend a \$3,972,608 grant from HUD to SPCD as the final award for the 2007-2008 1 Year Action Plan.	182906 Finance
48.	Mayor's Request	Requesting approval to expend a \$22,900 grant from the MA Statewide Emergency Telecommunications Board, for the Police's Enhanced 911 services.	182907 Finance
49.	Mayor's Request	Requesting approval to hire outside counsel to participate in the State's "MassDocs" system.	182908 Approved
50.	Mayor's Request	Requesting approval of an amendment to Ordinance 2006-13 at Sec. 3 by inserting the words "Library Director" under the category "Executive Grade Level II."	182909 Legislative Matters and Finance
51.	Mayor's Request	Requesting the appointment of David Jordan to the Commission on Energy Use and Climate Change.	182910 Conf. of Appointments
52.	Mayor's Comm.	Announcing the 2007 Annual Spring Cleanup on Saturday, April 28, from 10 AM to Noon, followed by a barbecue and "SomerGreen" environmental festival at Nunziato Field	182911 Placed on File, Copy to Energy & Environment

### **COMMUNICATIONS OF CITY OFFICERS**

53.	Officer's Comm.	Director of Planning Board Responding to #182597 re: Proposed PUD-B1 Zoning Ordinance Amendments.	182912 Land Use
54.	Officer's Comm.	Chief of Police responding to various Board Orders.	182913 Placed on File
55.	Officer's Comm.	Director of SPCD responding to various Board Orders.	182914 Placed on File

### **NEW BUSINESS**

56.	Public Occ	Public Occupancy Permit, Cystic Fibrosis Canning Drive, Citywide, Apr. 28-29, 10-3PM.	182915 Approved
57.	Public Occ	Public Occupancy Permit, Irmandade Divino Espirito Santo Procession to St. Benedict's Church, May 27, 9-12Noon.	182916 Approved
58.	Public Occ	Public Occupancy Permit, Day of Portugal Parade, Concord Sq. June 17, 12-3PM.	182917 Approved



59.	Public Occ	Public Occupancy Permit, Homeless Coalition Road Race, Registration, Brunch & Award Ceremony, Seven Hills Park, Davis Sq., Oct. 6, 7-1PM.	182918 Approved
60.	Public Occ	Public Occupancy Permit, Homeless Coalition 5K Road Race, Davis Sq., Oct. 6, 10-11AM.	182919 Approved
61.	Drainlayer	Renewal of Drain Layer's License, John's Sewer and Pipe Cleaning dba Plummer's Plumbing and Heating.	182920 Approved
62.	Drainlayer	Renewal of Drain Layer's License, Anthony P. Flowers.	182921 Approved
63.	Drainlayer	Renewal of Drain Layer's License, Suffolk Engineering.	182922 Approved
64.	Drainlayer	Renewal of Drain Layer's License, LaMountain Bros.	182923 Approved
65.	Drainlayer	Renewal of Drain Layer's License, James W. Fleet Co.	182924 Approved
66.	Drainlayer	Renewal of Drain Layer's License, JJ Phelan & Son Co.	182925 Approved
67.	Drainlayer	Renewal of Drain Layer's License, Robell Inc.	182926 Approved
68.	Transient Vendor	Renewal of Transient Vendor License, Paul Walker, flowers & gifts, 642a Somerville Ave., 646 Somerville Ave., 212 Broadway, 216 McGrath Hwy.	182927 Approved
69.	Outdoor Parking	Renewal of Outdoor Parking License, Pat's Auto Body Inc., 160-200 McGrath Hwy., 340 autos.	182928 Licenses & Permits
70.	Outdoor Parking	Renewal of Outdoor Parking License, Pat's Auto Body Inc., 24-30 Joy St., 100 autos.	182929 Licenses & Permits
71.	Outdoor Parking	Renewal of Outdoor Parking License, Pat's Auto Body Inc., 161 Linwood St., 63 autos.	182930 Licenses & Permits
72.	Outdoor Parking	Renewal of Outdoor Parking License, Russell Disposal Inc., 25 autos.	182931 Licenses & Permits
73.	Outdoor Seating	Renewal of Outdoor Seating License, True Grounds, 717 Broadway, 4 tables & 8 chairs.	182932 Licenses & Permits
74.	Outdoor Seating	Renewal of Outdoor Seating License, K&AT Inc. dba Dollar Days, 422 Highland Ave., baskets against building.	182933 Licenses & Permits

75.	Outdoor Seating	Renewal of Outdoor Seating License, Fu Shen Therapeutic Spa, 258 Elm St., cylinder-shaped sign on sidewalk.	182934 Licenses & Permits
76.	Extended Retail Hrs	Renewal of Extended Retail Hours Permit, C & S Donuts Corp. dba Dunkin Donuts, 504 Broadway, 24 Hours.	182935 Licenses & Permits
77.	Junk	Renewal of Junk Dealer License, Joseph Talewsky Enterprise Inc., 508 Columbia St.	182936 Licenses & Permits
78.	Junk	Renewal of Junk Dealer License, CASPAR Inc. dba GEAR, 160 Highland Ave.	182937 Licenses & Permits
79.	Used Car	Renewal of Used Car Dealer License Class II, James A. Kiley Co., 15 Linwood St., 6 autos.	182938 Licenses & Permits
80.	Garage	2006 Renewal of Garage License, Green Automotive Inc., 85 Foley St., 5 autos.	182939 Licenses & Permits

### **LATE ITEMS**

81.	Mayor's Request	Requesting that the Board vacate the re-appointment of Mary Griffin to the Housing Authority on Sept. 8, 2005, because certain procedural requirements were not followed.	182818 Discharged from Committee, Approved
82.	Ordinance	By Ald. Roche, Sullivan, Trane, Heuston, Desmond and O'Donovan and Mayor Curtatone, Proposing the "Responsible Employers Ordinance".	182940 Legislative Matters
83.	Order	By Ald. Trane, That the Commissioner of Public Works notify NStar to repair the streetlight at City Hall entrance.	182941 Approved
84.	Order	By Ald. O'Donovan, That the Chief of Police monitor off-leash dog running on the community path from Cedar St. to Willow Ave., between 6-9AM and 4-6PM.	182942 Approved
85.	Mayor's Request	Requesting approval of the appointment of Paula Machado to the Board of Health.	182943 Conf. of Appointments
86.	Mayor's Request	Requesting approval of the promotion of the following in the Fire Dept.: Peter St. Clair to Deputy Fire Chief, Patrick Sullivan III to District Fire Chief, John Norton and Robert McCarthy to Fire Captain and Matthew Wall, Stephen Ortolani and Robert MacLaughlin to Fire Lieutenant.	182944 Conf. of Appointments

**Submitted by John J. Long, City Clerk**